

Licensing Sub Committee

Virtual Meeting held on Monday 24 August 2020

Because of public health risks associated with the COVID-19 pandemic, this meeting was conducted remotely with the participants accessing the meeting through videoconference. The meeting was available to view live online via a link published on the agenda.

Present

Councillors Cleary (Chairman), Potter and MacKenzie

In Attendance

Mark Heaton (Senior Licensing Officer), Jonathan Davy (Solicitor), John Wardell (Clerk)

Minutes

1 Election of Chairman

Councillor Cleary was appointed unanimously as Chair of the meeting.

2 Apologies for absence

Apologies were received from Councillor Windress, Councillor Hope and Mr Robert Robinson

3 Declarations of Interest

In accordance with the Members Code of Conduct Councillor Cleary declared a personal non-pecuniary but not prejudicial interest.

4 Licensing Sub Committee Hearing Procedure

The Chair gave an overview of the Hearing Procedure.

5 Exempt Information

Exclusion of the Public – Yes. The exemption relating to the financial or business affairs of the applicant applies.

Reasons: The sub-committee were told by the Applicant that his financial details would be disclosed. The reasons however can be made public as there was no financial information discussed at the hearing.

6 **Members to determine an application from Mr Manolis Paterakis for grant of renewal for Hackney Carriage vehicle Licence**

The Sub-Committee have had sight of:

The Licensing Officer's Report including appendices / attachments.
The Ryedale District Council Taxi & Private Hire Policy 2017.
It has also considered the oral evidence of the applicant.

DECISION OF THE SUB – COMMITTEE

It is the decision of the sub-committee today to grant the licence application with the conditions outlined in the policy.

The sub-committee note the following objectives outlined in para 7.1.6 of the policy apply to this application namely:

1. Safety, health and comfort of the public and drivers.
3. Vehicle safety, comfort and access.
4. Provision of high quality vehicles and services

It is noted that the vehicle was first registered nearly 13 years ago on the 1/9/2007.

The Policy states at Para 1, Appendix E of the policy that 'The maximum age of a vehicle that may continue to be licensed shall be 10 years from the date of first registration. A licensed vehicle exceeding 10 years old at the date of application for renewal of its licence, may be licensed at the discretion of the licensing sub committee if such a vehicle is found to be an "exceptional vehicle in exceptional condition". Each application for special consideration will be judged solely on its merits, provided it continues to be mechanically sound and passes the vehicle licensing inspection.

In this case the licensing sub committee does exercise its discretion. The vehicle has passed its test. The vehicle passed its MOT test on 22nd July 2020 with no advisory notices. It had no failures or advisory notes when MOT tested for the previous 8 years.

We find the vehicle to be an exceptional vehicle in exceptional condition. We have seen photos of the vehicle which the licensing officer states appears to correspond (when he last saw the vehicle) with the photos provided.

We find that the applicant has given credible evidence and has a responsible attitude. He has informed us that he has been providing a taxi service for the last 30 years and always keeps his vehicle in best condition using genuine parts. The vehicle is of a high quality and most importantly will ensure that is safe for members of the public to use. The MOT test record is exemplary and gives weight to the applicants assertions.

For all these reasons the application is granted.

The Driver has a right to appeal against this decision. Any application for an appeal should be submitted in writing accompanied by the relevant fee to the Scarborough Magistrates' Court within 21 days of the date of this decision. Further details can be obtained from the Magistrates' Court.

Chairman.

7 Any other business that the Chairman decides is urgent.

There was no other business.

Meeting closed at 14:22